

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MATTRESS FIRM, INC.,

Plaintiff,

v.

FOSBROOKE, INC., D/B/A TUFT &
NEEDLE,

Defendant.

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CIVIL ACTION NO. 4:17-cv-03107

**JOINT MOTION FOR ENTRY OF AGREED ORDER
DISMISSING CASE WITH PREJUDICE**

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

Plaintiff Mattress Firm, Inc. and Defendant Fosbrooke, Inc., d/b/a Tuft & Needle (collectively, the “Parties”) have agreed to finally resolve the above-captioned litigation.

Pursuant to their agreement, the Parties have agreed to the entry of an Agreed Order Dismissing Case With Prejudice provided in the attached Exhibit A. The Parties jointly request that the Court enter the Agreed Order Dismissing Case With Prejudice in the form provided and close the case.

Dated: May 24, 2019.

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By: /s/ Melanie B. Rother
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**ATTORNEY FOR DEFENDANT,
FOSBROOKE, INC.**

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of May 2019, a true and correct copy of the foregoing document was filed using the Court's CM/ECF system, which will generate an electronic notice of filing to the parties registered to the Court's CM/ECF system.

/s/ *Melanie B. Rother*

Melanie B. Rother